



April 20, 1978

CGC 78-2555

4-21-78

Anthony A. Lapham  
General Counsel  
Central Intelligence Agency  
Washington, D. C. 20505

Dear Tony:

We view Section 4(e)(3) of the proposed Executive Order on classification of information to be a purely procedural matter that has nothing whatever to do with the division of operational responsibility in the signals intelligence area.

It was inserted in the Executive Order at our request because Section 4(e)(2) requires guidelines for a systematic review for declassification that state "specific, limited categories of information which, because of their national security sensitivity, should not be declassified automatically but should be reviewed item-by-item to determine whether continued protection beyond 20 years is needed." We tried hard to get both underlined terms taken out of Section 4(e)(2). If that had been done, we would not have needed Section 4(e)(3). As I understand it, the Domestic Council staff thought that the underlined items were so important that it would be more acceptable politically to give us an exemption than to delete the objectionable words.

We plan to issue procedures under Section 4(e)(3) that provide for continued classification beyond 20 years for all or nearly all signals intelligence and communications intelligence information and that provide for review by large category (such as source) rather than item-by-item. Any signals intelligence, communications intelligence or other classified cryptologic information in the hands of CIA or other agencies would be covered automatically by these procedures.

We think it is advantageous to approach the Director of the Information Security Oversight Office very soon after he or she is appointed with this blanket request. We also think it is more likely to be accepted if it comes solely from NSA and does not appear to be a Community-wide project taking advantage of a large loophole.

On file OSD release instructions apply.

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Our interests are identical in this area and I would appreciate it if CIA's proposed amendment could be withdrawn.

Sincerely,



Deanne C. Siemer